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SPECIAL COUNSEL TO THE TRUSTEE

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION**

IN RE:

**MCCLAIN FEED YARD, INC., et al.,¹
Debtors.**

§
§
§
§
§

**CASE NO. 23-20084-RLJ-7
Jointly Administered**

NO HEARING WILL BE CONDUCTED HEREON UNLESS A WRITTEN RESPONSE IS FILED WITH THE CLERK OF THE UNITED STATES BANKRUPTCY COURT AT GEORGE MAHON FEDERAL BUILDING, 1205 TEXAS AVE., RM 306, LUBBOCK, TEXAS 79401-4002, BEFORE CLOSE OF BUSINESS ON FEBRUARY 26, 2025, WHICH IS AT LEAST 10 DAYS FROM THE DATE OF SERVICE HEREOF.

ANY RESPONSE SHALL BE IN WRITING AND FILED WITH THE CLERK, AND A COPY SHALL BE SERVED UPON COUNSEL FOR THE MOVING PARTY PRIOR TO THE DATE AND TIME SET FORTH HEREIN. IF A RESPONSE IS FILED A HEARING MAY BE HELD WITH NOTICE ONLY TO THE OBJECTING PARTY. IF NO HEARING ON SUCH NOTICE OR MOTION IS TIMELY REQUESTED, THE RELIEF REQUESTED SHALL BE DEEMED TO BE UNOPPOSED, AND THE COURT MAY ENTER AN ORDER GRANTING THE RELIEF SOUGHT OR THE NOTICED ACTION MAY BE TAKEN.

¹ The Debtors in these Chapter 7 cases are: McClain Feed Yard, Inc. (Case No. 23-20084-RLJ), McClain Farms, Inc. (Case No. 23-20085-RLJ), and 7M Cattle Feeders, Inc. (Case No. 23-20086-RLJ).

**TRUSTEE’S EXPEDITED MOTION TO APPROVE
PAYMENT OF MEDIATION EXPENSES**

Kent Ries, Trustee (“Trustee”) of the referenced Chapter 7 bankruptcy cases (the “Bankruptcy Cases”), files his Expedited Motion to Approve Payment of Mediation Expenses as follows:

1. On January 8, 2025, this Court entered its Order Granting Trustee’s Application to Retain Contingency Litigation Counsel Under 11 U.S.C. § 328(a) (Dkt. No. 325) (the “Retention Order”). Pursuant to the Retention Order, the Debtors’ estates are to pay all Case Expenses, and approval of payment and/or reimbursement of all Case Expenses may be sought on 10-days’ notice, no more frequently than monthly.

2. The Trustee believes the Debtors’ estates have various claims against Carr, Riggs, Ingram, a large accounting firm that represented the Debtors and committed various acts and omissions that caused millions of dollars of harm in connection with the Debtors’ massive Ponzi scheme.

3. Arguably, a pre-suit mediation is required under the applicable agreements with Carr, Riggs, Ingram.² Accordingly, the Trustee has made demand on Carr, Riggs, Ingram and arranged for a mediation to be held on March 10, 2025 with Chris Nolland, a well-known and experienced mediator of large commercial disputes. The mediation fee is \$8,500.00 per side.

4. By this Motion, the Trustee requests the Court to approve the payment of the \$8,500.00 mediation fee pursuant to 11 U.S.C. §§ 105(a), 363(b), and 503(b).

² The Trustee disputes that a contractual pre-suit mediation is required for his claims against the accounting firm.

Respectfully submitted,

/s/ Hudson M. Jobe

Hudson M. Jobe

Texas Bar No. 24041189

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CERTIFICATE OF SERVICE

I hereby certify that February 12, 2025, a true and correct copy of the foregoing was served via the Court's ECF system on the debtors, debtors' counsel, the United States Trustee, and, all parties that have appeared and requested notice via the Court's ECF system.

/s/ Hudson M. Jobe

Hudson M. Jobe